

# **Exhibit “E”**

**Consumer Law Center, Inc.**

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San Jose, CA 95113-2418  
(408) 294-6100  
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**FAX COVER SHEET**

FAX NUMBER TRANSMITTED TO: 951-782-0230

To: Robert C. Chandler  
of: Chandler, Potter & Associates  
From: Fred W. Schwinn  
Client/Matter: Bruce Albert Johnson v. CFS II, Inc., *et al.*  
CAND Case No. 5:12-CV-01091-LHK-PSG  
Date: December 10, 2012

DOCUMENTS	NUMBER OF PAGES*
Letter	2

COMMENTS:

Original will NOT follow.

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\* NOT COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US  
IMMEDIATELY AT (408) 294-6100.

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Via Fax to: 951-782-0230

December 10, 2012

Robert C. Chandler  
Chandler, Potter & Associates  
3800 Orange Street, Suite 270  
Riverside, CA 92501

Re: Bruce Albert Johnson v. CFS II, Inc., *et al.*  
CAND Case No. 5:12-CV-01091-LHK-PSG

Dear Mr. Chandler:

Having conducted the deposition of your client's designated representative pursuant to Fed. R. Civ. P. 30(b)(6), it has become apparent that there are additional documents in your client's possession, custody or control that are responsive to our client's First Set of Request for Production of Documents and Electronically Stored Information and our client's request pursuant to Rule 34 that your client produce documents at the deposition. Please consider this a meet-and-confer letter pursuant to Fed. R. Civ. P. 37(a)(2)(B) and 37(d) and Civil L.R. 37-1(a) for the purpose of determining whether we are able to informally resolve these differences and preclude the need to seek Court's assistance. If you do not agree in writing to provide further responses as requested herein, Plaintiff will be forced to proceed with a motion pursuant to Federal Rules of Civil Procedure.

**Documents to be Produced**

The following documents were identified by your client's designated representative and have not been produced. The following documents must be produced in response to our client's First Set of Request for Production of Documents and Electronically Stored Information and our client's request pursuant to Rule 34 that your client produce documents at the deposition. All citations are to the transcript in the Deposition of Bryan R. Lohmeyer.

1. Letter dated June 17, as identified at 16:20-25.
2. Additional data and evidence contained on the CFS II computer system which has not previously been produced, including "screen shots" as identified at 19:9-23; 20:7-10; 60:4-24; 70:19 to 71:24.
3. The procedure for logging all collection efforts into the CFS II computer system as identified at 21:16 to 22:3.
4. Procedures relating to your client's reading or memorizing a "script" as identified at 38:2-18, 67:4-16 and 69:7 to 70:3, and any other policies in your client's possession, custody or control related to CFS II, Inc.'s, written policies relating to FDCPA compliance and "QAD" procedures.
5. Audio recordings of all telephone calls between CFS II, Inc., and our client's wife as

identified at 38:21-25, 64:23 to 65:9, 66:12 to 67:3, 72:5-13, 74:2-7, and 77:15 to 78:10.

6. Letter dated June 6, 2011, as identified at 48:1-19.
7. Email dated October 31, 2011, sent by Ashley Muglia as identified at 48:20 to 41:9.
8. All "verification documents" as identified at 61:17 to 62:15.
9. "ACH authorization" as identified at 80:4-80:15.
10. Any procedures in existence prior to May 14, 2012, as identified at 83:11 to 84:13.

I note that in many instances, the counsel present at the deposition, a Ms. Suandra Burrus-Grimes who is not a licensed California attorney and is not counsel of record on the case, stated that CFS II, Inc., would produce all requested documents that have not previously been produced. However, as of the date of this letter, we are not in receipt of the above-identified documents and ESI. Please consider this a request for those documents and ESI identified above.

This office remains committed to resolving these discovery disputes in good faith without resorting to motion practice before the Court. However, copies of the requested documents and ESI must be received by this office on or before December 21, 2012, or we will have no choice but to file an appropriate motion with the Court.

I look forward to your prompt response.

Very Truly Yours,

  
Fred W. Schwinn

# Send Result Report

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No.	Date and Time	Destination	Times	Type	Result	Resolution/ECM
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